

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Risa R. Rowe,

Case No. 3:04CV7145

Plaintiff

v.

ORDER

Guardian Automotive Products, Inc.,

Defendant

This is a suit by a former employee against her former employer. Pending is the defendant's motion for leave to amend its answer to state two additional affirmative defenses (lack of standing and judicial estoppel).

The request for leave to amend arises from the plaintiff's failure to list this claim in a bankruptcy proceeding, which has resulted in her discharge. Though this probably is a curable omission, leave shall be granted to the defendant to file its amended answer as requested.

Also pending is the defendant's motion for summary judgment, which is contested as to only one of plaintiff's claims. Pending adjudication of that motion, proceedings re. the defendant's newly asserted defenses shall be stayed.

It is, therefore,

ORDERED THAT:

1. Defendant's motion for leave to amend its answer (Doc. 35) be, and the same hereby is granted;
2. Proceedings re. newly added defenses stayed pending adjudication of defendant's pending motion for summary judgment.

So ordered.

s/James G. Carr
James G. Carr
Chief Judge